

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

RODNEY HAMPTON,

No. 14-13943

Plaintiff,

District Judge Nancy G. Edmunds

v.

Magistrate Judge R. Steven Whalen

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

/

---

AMENDED ORDER LIFTING STAY, DENYING MOTION FOR  
SUBSTITUTION OF COUNSEL, AND PERMITTING  
PLAINTIFF TO FILE AMENDED SUMMARY  
JUDGMENT MOTION

On May 20, 2015, pursuant to Administrative Order 15-AO-033, this case and others were transferred to a three-judge panel, which stayed proceedings. On October 19, 2015, the cases were transferred back to the originally assigned judges.

As a result of the panel's work, the law firm of Davidson, Breen Doud, Steele & Ferguson, P.C. ("Davidson firm") was directed to send its clients, including this Plaintiff, a letter indicating that no lawyers at that firm would be permitted to represent them in the pending cases. Through its managing partner, the Davidson firm agreed that its lawyers would not handle the Social Security appeals at issue. The letter was also to provide the clients with information as to how to contact other lawyers who handle Social Security appeals. The Plaintiff was given until December 31, 2015 to obtain a new lawyer or proceed without the assistance of counsel.

On April 18, 2015, before the panel's action, attorney James W. Smith of the Davidson firm filed a motion to substitute in as counsel, in place of attorney Richard J.

Doud [Doc. #12]. Because he is with the Davidson firm, that motion is DENIED. In addition, attorneys Richard J. Doud and James W. Smith are REMOVED as Plaintiff's counsel.

The stay entered in this case is VACATED.

Although the date of December 31, 2015 has passed, Plaintiff has not obtained a new lawyer. Therefore, Plaintiff will proceed without a lawyer. Plaintiff has two options:

(1) Plaintiff may rely on the current briefing; or

(2) Plaintiff may submit a new motion for summary judgment, or supplement the currently filed motion. **Any new or amended motion must be filed no later than 30 days from the date of this Order.** If a new or amended motion is not filed within that time, the Court will make a decision based on the current briefs and on its independent review of the record. The Commissioner may file a response to any new or amended motion within 21 days after the new or amended motion is filed.

Because Plaintiff is proceeding without a lawyer, the new or supplemental brief does not have to be in strict legal form. Plaintiff may file a letter explaining why the Commissioner's decision to deny benefits was wrong, and why benefits should be granted. The Plaintiff's motion, or letter, must contain the case number, and should be sent to the following address:

Clerk of the Court  
United States District Court  
231 W. Lafayette Blvd.  
Detroit, MI 48226

IT IS SO ORDERED.

s/R. Steven Whalen  
\_\_\_\_\_  
R. STEVEN WHALEN  
UNITED STATES MAGISTRATE JUDGE

Date: February 11, 2016

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on February 11, 2016, electronically and/or by U.S. mail.

s/C. Ciesla  
\_\_\_\_\_  
Case Manager